Police
Reserve

P 16

G. R. S. IX-5]

*Previous references.*

1916-17 ✓
(Police)

File No. 201-16

Serial Nos. 1 to 4

*Later references.*

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos.* 1 to 4

Part B for September 1917

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SUBJECT.

Petition from Basavaraja & other Sivachars of Nagamangala Taluk re. the Right of Conducting the Jatra of Madeswara at Mallenahalli in the Nagamangala Dk

4) To Basavaraja & others Nagamangala Dk
No J 1040 Dy 18. 9. 1917
Informs that Govt. see no good grounds for interference with the order passed by the District Magistrate Mysore District.

To The Dist. Magistrate Mysore Dist.
No J 1041 Dy 18-9-1917
Forwards Copy of the above

Sd Abdur Rahman
3 10. 1917

W D 83—GPB—50,000—24-7-15

J601

G. R. S. 11] 191677

GENERAL AND REVENUE SECRETARIAT.

( Police )

NOTES.

File No. 201-16

FILE HEADING.

Right of conducting the jatre of Madeswara at Mallenahalli in the Nagamangala ~~in the~~ Taluk.

From

Basaraiya & others ~~&~~ Sivachara of Nagamangala.

No. Pol. Dated 25.5.17. Received 5.6.17

| Diary No. J2601 | Enclos. / Spare Copies. . | Serial No. / |
|---|---|---|

BRIEF ABSTRACT OF LETTER.

Appeals against the order of the D. C. Mysore directing the petitioners to establish their right in a Civil Court before they can be permitted to join the Vokkaligas of Mallenahalli in conducting the Madeswara jatre at that place.

NOTES AND ORDERS.

The view taken by the D. C. in the last para of his order seems to be correct. Subd. for orders with a draft calling for a report with the records.

A

BS. 13-6-17.

21 June 14/6

NOTES—First Sheet. 14/6

583.
60

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 201 of 1916/17

Serial No. 2

To The Dt. Magte. Mysore Dt. no. Roc 60 Dj 15-6-17 calls for a report.

Reminder petition from Basaiya & others dt 6-9-17

3) The report called for from the D.M. has not yet been received. Two reminders have already been issued the last being on 29-8-17.

4) Subd. for orders.

8-9-17

5) Issue one again

6) As the report was awaited in the meantime no reminder is necessary.

3) From the Dy Sagle Mysore Dt 6.9.1917 in No. Roc 2329 Dj 6.9.1917 forwarding petition dt 6-9-17 & report called for

7) Subd. for orders.

12-9-17

8) This is an appeal against the order of the District Magistrate passed under s. 45 of the Police Regulation. The Regulation is silent as to no right of appeal in the unsuccessful party and strictly no appeal lies against the order. But Govt. have passing orders in such cases by way of instructions to the Dt Magistrates, in their inherent Sovereign right whenever the orders are considered illegal.

9) In the present case, the facts have been clearly set forth in the order of the District Magistrate under appeal and also in the paper under disposal.

NOTE—Contn. sheet.

602. WD 1233—GPB—60,000—1-12-16—S. 13

G. R. S. III-2]

General and Revenue Secretariat. | Police File No. 201 of 1916-17

Serial No.

The question is whether the Sivachars (appellants) of Nagamangala have established their right to participate in the management of the Jatra, and to carry their "Nandidvaja" during procession. Except the manool of recent date, there is no satisfactory evidence to support their claim; the document produced by them has not been proved to be genuine, and, even if it be genuine, cannot be held to affect in any extent the rights of Okkaligars of Madenhalli. It is unstamped, and, as alleged, ought to have been executed on behalf of all the Vakkaligars. The documents on the other hand, show that no right existed in the Nagamangala Sivachars that they participate in the construction of the temple management of the Jatra for the 2nd year. So no question of immemorial custom arises in the case. The view of the District Magistrate appears therefore very sound, and the order was passed to prevent breach of the peace. If approved, the petitioners could be informed that there are no good grounds for interference, as the petitioners may, if they like, establish their right in a civil Court and the Magistrate will give due effect to it.

8/1/19.

First Member

9 April

1121/14/9.

14/9

NOTE—Contn. sheet.

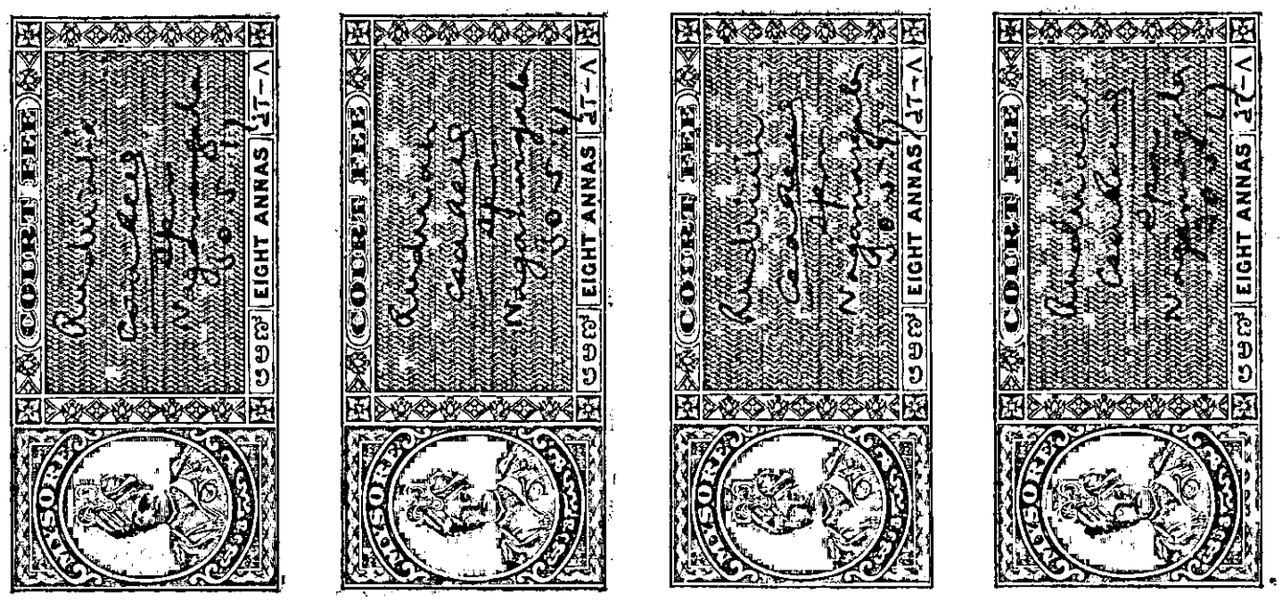
WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

| General and Revenue Secretariat. | Police File No. 201 of 1916/17 |
|---|---|

| Serial No. | |
|---|---|
| | Draft subd. |
| | 18. 15-9-17 |
| | Dmg 19 1918 |
| 4 | 20, Basavaiya & Ther Siragamangala No J 1040 Of 18. 9.17 Informs that Govt See no good grounds for interference with the order passed in the Dt Magte in the matter. 20, the Dt Magte Mysore Dt No J 1041 Of 18.9.17 Forwards Copy of the above. |

NOTE—Contn. sheet.




DIARY No. 2601

19/6/1917

REVISED
19 JUN 1917

GE JUDICIAL
19 JUN 1917

ಪ್ರಾಥಮಿಕ ಶಿಕ್ಷಣ ತರಗತಿ 1916-17 ನೇ ಇಸವಿ ಫೆಬ್ರವರಿ
ಮಿಸ್. ಅಲಿಬಿ ಇವರ ಪತ್ರ ನಂಬರು 66 ನೇ ಅಂಶಗಳಿಗೆ
ಸಂಬಂಧಿಸಿದಂತೆ ಆರ್ಥಿಕ ಇಲಾಖೆಯ ಅಭಿಪ್ರಾಯ
ಅಭಿಪ್ರಾಯ ಇಲ್ಲ —

I (a). ಮಂಡಿಸಿರುವ ಅಭಿಪ್ರಾಯವು ಶಿಕ್ಷಣ ಇಲಾಖೆಯ ಅಧಿಕಾರಿಗಳ ಸಂಬಂಧಪಟ್ಟ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಬರುವ ವಿಷಯವಾಗಿರುವುದರಿಂದ ಅಭಿಪ್ರಾಯ ಇಲ್ಲ.

(b) ಮಂಡಿಸಿರುವ ಅಭಿಪ್ರಾಯವು ಶಿಕ್ಷಣ ಇಲಾಖೆಯ ಅಧಿಕಾರಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದ್ದಾಗಿರುವುದರಿಂದ ಅಭಿಪ್ರಾಯ ಇಲ್ಲ.

II. ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಮಂಡಿಸಿರುವ ಅಭಿಪ್ರಾಯವು ಸಂಬಂಧಪಟ್ಟ ಇಲಾಖೆಯ ಅಧಿಕಾರಿಗಳ ಸಲಹೆ ಸೂಚನೆಗಳನ್ನು ಪಡೆದು ಅನಂತರ ಪ್ರಸ್ತಾಪಿಸಲಾಗಿರುವುದರಿಂದ ಪ್ರಸ್ತಾಪಿಸಿರುವ ಅಂಶಗಳಿಗೆ

ಕಿಂಗ್ಸ್‌ಲಿ ಥಾಂಪ್ಸನ್ ಅಭ್ಯಂತರ ಅರ್ಜಿಯನ್ನು
ಅಪೀಲಿಗೆ

III (a) ಅವಿ ಲಾಲ್ ಎಂಬ ಸಾಕ್ಷಿಯು ಹೇಳಿಕೆಯನ್ನು
ಸಂಪೂರ್ಣವಾಗಿ ಅವಲಂಬಿಸಿದ ಎಂಬ ದೃಷ್ಟಿಯಿಂದ
ಅವಲಂಬಿಸಿರುವುದು ಸರಿಯಲ್ಲ - ಸಾಕ್ಷಿಯ ಎಂಬ ಪದವು
ಕಿಟಕಿಯಿಂದ ನೋಡಿದ್ದನ್ನು ಎಂಬ ಅರ್ಥವನ್ನು
ಕೊಡುವುದಿಲ್ಲ.

(b) ಇದಾದ ನಂತರ ಕೆಲವು ದಿನಗಳ
ನಂತರ ಸಾಕ್ಷಿಯು ಮಾಡಿದ ಆರೋಪಣೆಯ
ಬಗ್ಗೆ - ಸಾಕ್ಷಿಯು ಆರೋಪಿಯ ಮನೆಯ
ಬಾಗಿಲಿಗೆ ಬಂದಾಗ - ಸಾಕ್ಷಿಯು ಆರೋಪಿಯ
ಕಡೆಗೆ ಕಲ್ಲನ್ನು ಎಸೆದಿದ್ದನು ಎಂಬ ಆರೋಪಣೆ
ಸಾಕ್ಷಿಯ ಹೇಳಿಕೆಯಲ್ಲಿ ಇಲ್ಲದಿರುವುದು ಮುಖ್ಯವಾದ
ವಿಷಯವಾಗಿದೆ. ಸಾಕ್ಷಿಯು ಆರೋಪಿಯ ಮನೆಯ
ಬಾಗಿಲಿಗೆ ಬಂದಾಗ ಆರೋಪಿಯು ಸಾಕ್ಷಿಯ
ಕಡೆಗೆ ಕಲ್ಲನ್ನು ಎಸೆದಿದ್ದನು ಎಂಬ ಆರೋಪಣೆಯು
ಸಾಕ್ಷಿಯ ಹೇಳಿಕೆಯಲ್ಲಿ ಇಲ್ಲದಿರುವುದು ಆರೋಪಿಯ
ಪರವಾಗಿ - ಅದೇ ರೀತಿ ಸಾಕ್ಷಿಯು ಆರೋಪಿಯ
ಮನೆಯ ಬಾಗಿಲಿಗೆ ಬಂದಾಗ ಆರೋಪಿಯು
ಸಾಕ್ಷಿಯ ಕಡೆಗೆ ಕಲ್ಲನ್ನು ಎಸೆದಿದ್ದನು ಎಂಬ
ಆರೋಪಣೆಯು ಸಾಕ್ಷಿಯ ಹೇಳಿಕೆಯಲ್ಲಿ ಇಲ್ಲದಿರುವುದು
ಆರೋಪಿಯ ಪರವಾಗಿ ಇರುವುದರಿಂದ
ಸಾಕ್ಷಿಯ ಹೇಳಿಕೆಯನ್ನು ಅವಲಂಬಿಸಿರುವುದು
ಸರಿಯಾಗಿದೆ.

IV

V.

VI

VII

[illegible]

[illegible]

[illegible]

[illegible]

25 [illegible] 1917 [illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

14/6/17

J 4640 Encl 1 + 15 Encls

Pol 201-16

Memo 07 15 6

The accompanying petition* Appellate No. J 2601 dated the 25th May 1917 received from Basavaiya & other Sivachars of Nagamangala re the removal of the Jahir of Madeswara at Mallenahalli in the Nagamangala

It is forwarded together with its enclosure to the Dt. Magt. of the Mysore Dt. for a report with the record of the case.

By Order

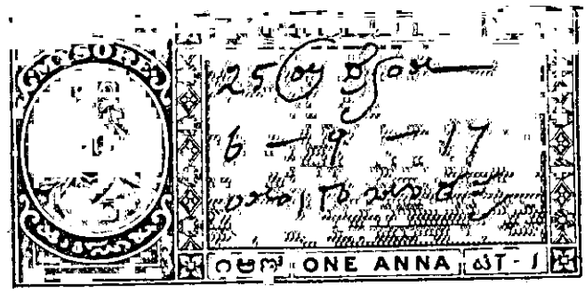
Es 14/6
for Secy to Govt.
Ex Dept.

*to be returned with the reply.

by Mr. G. Srinivasa Iyr

BG.
13.6.17

14/6




GEN. & JUDICIAL 16.9.17 1917

GEN. & REVENUE. 6 SEP 1917

7580.

Lot 2329

NO. J 1617 OFFICE OF THE DISTRICT MAGISTRATE, MYSORE DISTRICT,

Dated Mysore, the 6th September 1917.

From

T. Rayaloo Chetty, Esquire,

District Magistrate,

Mysore District.

DIARY No. J. 602.

Police

201-16

To

D. M. Narasinga Rao, Esquire, B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, GENERAL DEPARTMENT.

Sir,

With reference to your Memo No. J. 4640 Pol. 201-162 dated 15th June 1917 forwarding for report a petition from Basavia and other Sivachars of Nagamangala re. the conduct of the Jatra of Madeswara at Mallenahalli in the Nagamangala Taluk, I have the honour to state that the Jatra in question is of a recent origin held every year within the limits of the said village. The Vakkaligars thereof form the bulk of the people that take part in the Jatra and it is said that the Sivachars of the Nagamangala Town also used to join them. A dispute arose between the two communities in 1915 regarding the conduct of the Jatra and an enquiry was held of both the communities by the Amildar. The Vakkaligars totally denied the momool and combination claimed by the Sivachars and refused the documents relied upon by them. While the Sivachars contended that the Vakkaligars did combine and parade the Nandidwaja belonging to them (Sivachars) and get the worship done by a priest of their (Sivachars) own. Thereupon a committee was appointed by the Amildar from among the members of both the communities to conduct the Jatra, but as the Sivachars failed to join and nominate their representatives and also to send their priest, a third man unconnected with either party was appointed a Poojari and the Jatra is said to have passed off without any hitch.

2. Subsequently in 1916, the Sivachars of Nagamangala petitioned both the Amildar and this Office in the matter. The parties were again sent for and heard by the Amildar and as no

W.D. C244—GPB—6,00,000—19-5-16—S.

RECEIVED 10 SEP 1917 191

From
The District Magistrate,
Mysore District.

To
The Secretary to Government,
General Department.

Dated The 6th September 1917.
Despatched 7 Sept 1917
Received
General No. Ker 2329
No. Jud 101
Enclosure No. 2

Reports on the petition of Basaviah and other Sivachar people of Nagamangala re. the Mallenahalli Jatra.

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JL 4.20

GEN & REV SECRETARIAT III JUDICIAL 10 SEP 1917

amicable settlement could be effected between them, the Amildar as the responsible Executive head of the Taluk permitted the Jatra to be conducted as in the previous year, prohibiting however, the parading of the Nandidwaja on the occasion. On 29th November 1916, the Sivachars appealed to this Court against the above order of the Amildar. On a perusal of the connected papers and after hearing the counsels on both sides, I held in my order of 19th February 1917 that the temple and the Jatra being within the limits of the Mallenahalli village, the Sivachars of Nagamangala had presumably no right to claim a share in the management of the Jatra on the strength of a recent agreement signed by only two of the Mallenahalli people which can hardly bind the entire village, that the Sivachars having taken part in the management on a few recent occasions could not establish a right for themselves and that if the two communities did not agree, it was necessary and proper that the dissenting party viz., the Sivachars of Nagamangala should establish their right in a proper Court of Law.

3. The petition received with your Memo under reply is evidently an appeal preferred to Government against my order referred to above. The connected records are submitted herewith together with the petition and its enclosures received with your memo under reply.

I have the honour to be,

Sir,

Your most obedient servant,

6. 9. 17

DISTRICT MAGISTRATE,

ISR. MYSORE DISTRICT.

16 1379

(16

J 1040 Encls 0/18 9/17
Pol 207-16-4

Endorsement granting to Basavaiya & Others Sivachars of Nagamangala in reply to their petition registered as J 2601 dated the 20th May 1917 for the content of the Talas & Madeswara in Mallanahalli.

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The petitioners are informed that ~~the~~ their applications cannot be granted for the reasons given in the order passed by the Dt. Collector in the matter.

The enclosures received with the petition are herewith returned.

By Order

Sd/ [illegible]
Dt. Supdt.

Sd/ [illegible]
15-9-17 J 1041 (Records)

Copy to the D.C. Mysore Dt. with reference to his letter no. R.O.C 2329 - Jud. - 16-17 dated the 6th September 1917 returning the records received therewith.

By Order

Sd/ [illegible]
Dt. Supdt.

Sd/ [illegible]
15-9-17

Gaur 17/9